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May 14, 2020

Via Electronic Filing

The Honorable Judge Lorna G. Schofield
U.S. District Court, Southern District of New York
40 Foley Square
New York, NY 10007

Re: *O'Rourke v. Fossner Timepieces Clock Shop, Inc. et al.*
Case No.: 20-cv-01301-LGS

Dear Honorable Judge Schofield:

This law firm is counsel Defendant Fossner Timepieces Clock Shop, Inc. (the “**Defendant**”) in the above-referenced action.

Pursuant to Rules I(B)(1) and (2) of Your Honor’s Individual Motion Practices, this letter respectfully serves as a request to: (i) extend Defendant’s time to respond to Plaintiff’s Complaint from May 14, 2020 to, through and including, June 19, 2020; and (ii) to adjourn the initial pretrial conference scheduled for May 28, 2020 at 10:50 a.m. to a date and time set by the Court after June 19, 2020.

This is the second request for an extension of time to file Defendant’s response to Plaintiff’s Complaint. One prior request was made on consent via stipulation on April 16, 2020 [Dckt. No. 16], which was subsequently granted on April 17, 2020 [Dckt. No. 18]. This is the first request to adjourn the initial pretrial conference.

This request is not made on consent of Plaintiff’s counsel, who did not respond to the undersigned’s attempts to meet and confer.

The undersigned respectfully apologizes in advance for making the instant request to extend Defendant’s time to respond to the Complaint less than forty-eight (48) hours prior to the May 14, 2020 deadline. The basis for the delayed filing is that the undersigned was expecting a response from Plaintiff’s counsel.

In light of the foregoing, Defendant respectfully requests to: (i) extend Defendant’s time to respond to Plaintiff’s Complaint from May 14, 2020 to, through and including, June 19, 2020; and (ii) to adjourn the initial pretrial conference scheduled for May 28, 2020 at 10:50 a.m. to a date and time set by the Court after June 19, 2020.

Application **DENIED** without prejudice to renewal by **May 18, 2020**. The Court cannot determine whether the extension request is made for "good cause," per FRCP 6(b).

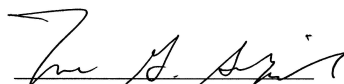
Initial pretrial conferences are not typically adjourned when extending time to answer or otherwise respond to the Complaint. The parties are reminded that their joint pre-conference materials are due **May 21, 2020**.

Respectfully submitted,

LEVIN-EPSTEIN & ASSOCIATES, P.C.

By: /s/ Jason Mizrahi
Jason Mizrahi
420 Lexington Ave., Suite 2525

Dated: May 15, 2020
New York, New York


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

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To: All Counsel of Record (via ECF)